

City of Corunna
Regular Council Meeting
Tuesday, September 3, 2002

Present: Corey, Jessen, Johnson, Mehigh, Runyan, Sanderson, Wagner.

Absent: None.

Guests: Joe Sawyer, City Manager; Janet Washburn, Parks and Recreation Director; Chief Mark Hetfield, Police Department; Tim Crawford, Superintendent of Public Works; Pat Yott; Shirley Sanderson; Judy Horton; Susan Groll; John Smith, Superintendent of Corunna Public Schools; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Corey at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Johnson moved, Sanderson seconded to approve the regular meeting minutes of August 19, 2002 as presented.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

MINUTES OF THE PREVIOUS SPECIAL MEETING: Sanderson moved, Johnson seconded to approve the special meeting minutes of August 26, 2002 as presented.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

AGENDA APPROVAL: Mehigh moved, Runyan seconded to approve the agenda with the addition of Proclamation Presentation, Item No. 12) Consider Traffic Control Order #205 (No Stopping, Standing, or Parking at Any Time, North Side of King Street Between the East Drive of Corunna High School and Kingsley Street), and Item No. 13) Consider Adoption of the Statements of Cooperation With the Addition of Paragraph 11.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Runyan moved, Mehigh seconded to approve the vendor disbursements as presented.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

PROCLAMATION PRESENTATION: Johnson moved, Sanderson seconded to accept the following

proclamation as read:

A Proclamation
Of the Mayor and City Council of Corunna, Michigan
In Remembrance of

**THOSE LOST, INJURED, AND NEGATIVELY AFFECTED
BY THE ATTACKS OF SEPTEMBER 11, 2001**

WHEREAS, On September 11, 2001, at approximately 8:45 AM Eastern Standard Time, the United States of America was internally attacked by foreign interests, and;

WHEREAS, This attack of terrorism was a declaration of war against the United States of America and the entire civilized world, and;

WHEREAS, Approximately 3,000 people died as a direct result of these attacks, and further several thousands more, relatives and friends of the deceased and others, lives have been permanently altered, and;

WHEREAS, We are the strongest and the best nation in the world, and these strengths were exemplified by the actions taken as a result of these attacks, and;

WHEREAS, We as the City of Corunna continuously support our President, Congress, and Judicial System in the hunt for those responsible for these attacks, and will not rest in this effort until all responsible parties have been brought to justice, and;

WHEREAS, We support this great nation in its continuing efforts to fight any and all terrorism, so that freedom, peace and tranquility will prevail.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor of Corunna, and the Corunna City Council proclaim September 11, 2002, and all future September 11's, a day to remember those lost, injured, and negatively affected by the attacks of September 11, 2001; and further be it resolved to uphold the Constitution and protect the freedoms on which this Country was founded.

Proclaimed this 3rd Day of September, 2002.

Roll call vote:

Yes: Mehigh, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Judy Horton showed off the cookbook that the City of Corunna Parks and Recreation Commission is selling as a fundraiser. Mayor Corey asked how much the cookbook was. Ms. Horton advised \$7.50.

Susan Groll advised she needed to change the hockey rink dedication from September 7 to September 14 and asked council if they had a problem with the date change. There were no

objections to the date change. Mayor Corey asked Ms. Groll if she was going to contact the Independent and the Argus Press. Ms. Groll advised yes.

7:15 P.M. PUBLIC HEARING FOR DISCUSSION OF ORDINANCE NO. 02-10 (ASSAULT AND

BATTERY): Runyan moved, Mehigh seconded to leave the regular session and go into a public hearing for discussion of Ordinance No. 02-10 (Assault and Battery).

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehigh, Runyan, Jessen.

No: None.

Motion CARRIED Time was 7:15 p.m.

Mayor Corey read Ordinance No. 02-10. Mehigh moved, Sanderson seconded to leave the public hearing and return to the regular session.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED Time was 7:17 p.m.

Mehigh moved, Johnson seconded to adopt the following ordinance and authorize the mayor and the clerk to sign the documents for the city:

ORDINANCE NO. 02-10

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA BY AMENDING SECTION 50-76, ASSAULT, BREACH OF PEACE OF CHAPTER 50 OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE III OFFENSES AGAINST THE PERSON, AND TO PROVIDE EXCEPTIONS HERETO AND PENALTIES FOR VIOLATIONS HEREOF.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

SECTION 1. CODE AMENDED.

Section 50-76, ASSAULT, BREACH OF PEACE is amended as hereafter follows.

SECTION 2. DEFINITIONS.

- (1) As used in this Ordinance, “dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectionate involvement. This term does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.

SECTION 3. ASSAULT, ASSAULT AND BATTERY – NON-DOMESTIC.

A person who assaults or assaults and batters an individual, if no other punishment is prescribed by law, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

SECTION 4. ASSAULT, ASSAULT AND BATTERY – DOMESTIC.

An individual who assaults or assaults and batters his or her spouse or former spouse, an individual with whom he or she has or has had a dating relationship, an individual with whom he or she has had a child in common, or a resident or former resident of his or her household, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

SECTION 5. ORDINANCE INAPPLICABILITY.

This Ordinance does not apply to an individual using necessary reasonable physical force in compliance with Section 1312 of the revised school code, 1976 PA 451, MCL 380.1312, as amended.

SECTION 6. SEVERABILITY.

This Ordinance and the several sections, subsections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 7. CONFLICTING ORDINANCES REPEALED.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

SECTION 8. COPIES AVAILABLE.

This Ordinance may be purchased or inspected in the City Clerk's Office, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

Roll call vote:

Yes: Jessen, Runyan, Mehig, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER TRAFFIC CONTROL ORDER #204, (NO LEFT TURN, 7 AM-8AM & 2PM-3PM FROM CORUNNA MIDDLE SCHOOL PARKING LOT NORTHBOUND ONTO KING STREET):

Councilperson Mehig asked if it would be more feasible to wait a few weeks to see if the change works before changing anything. John Smith advised a committee has studied the situation for five years. He further advised the sign is up but is not being enforced. Councilperson Mehig stated if the council enacts the control order, and two weeks later, it is decided that the sign does not work then the city would have to change everything back. Mr. Smith stated he did not know why the signage would not work. Councilperson Mehig stated people who live in the area are concerned that the change could cause too much congestion on King Street. He further stated he was looking at the overall picture and not just the school. Mr.

Smith advised the school district has tried to let the people know that the change will help save lives and congestion at the school. The change will also help avoid student injuries. Councilperson Runyan asked how the traffic change would affect the Louise Peacock walkers. Mr. Smith advised the change should not affect them at all because the students at Louise Peacock do not get dismissed until 3:40 p.m. Councilperson Sanderson stated he would like to see the traffic control change done on a trial basis before the council adopts the order. Councilperson Runyan agreed and suggested waiting 30 to 60 days. Councilperson Mehig asked if the school district was having a problem with enforcing the change. Mr. Smith advised yes, the school district does not have the power to enforce the sign. Mr. Sawyer advised in the next two years, the city will be reconstructing King Street from Comstock Street to Kingsley Street, and he predicts the problem will get worse. He further advised at some point in time, the school district might have to consider a no left turn coming out of the high school as well as the middle school. He also advised the traffic change has been very well publicized, and no one was present at the meeting to object to the traffic change. Mayor Corey asked Mr. Smith if the school district has considered a no left turn coming out of the high school. Mr. Smith advised there has not been any trouble with the kids turning left because they all turn right. Mayor Corey asked Chief Hetfield if his recommendation was to go forward with the traffic change. Chief Hetfield advised yes. Councilperson Jessen stated if the traffic change does not get adopted then the traffic change cannot be enforced. Jessen moved, Johnson seconded to approve Traffic Control Order #204, (No left turn, 7AM-8AM & 2PM-3PM from Corunna Middle School parking lot northbound onto King Street).

Roll call vote:

Yes: Runyan, Wagner, Jessen, Mehig, Johnson.

No: Sanderson.

Motion CARRIED

CONSIDER APPOINTMENT TO ECONOMIC DEVELOPMENT FUND BOARD: Jessen moved, Mehig seconded to appoint Dawn Johnson to the Economic Development Board as Council Representative for a term to begin upon the taking of the oath of office and running concurrent with her council seat to serve at the pleasure of the council.

Roll call vote:

Yes: Sanderson, Mehig, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

SET PUBLIC HEARING FOR SEPTEMBER 16 AT 7:15 P.M. TO CONSIDER SNOW REMOVAL

ORDINANCE: Runyan moved, Jessen seconded to set a public hearing for September 16th at 7:15 p.m. for the proposed Snow Removal Ordinance.

Roll call vote:

Yes: Mehig, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CONSIDER RESCINDING TRAFFIC CONTROL ORDER #125 (TEMPORARY NO PARKING FOR FAIR WEEK): Johnson moved, Jessen seconded to rescind Traffic Control Order #125, dated August, 1983 (Temporary No Parking For Fair Week).

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehig, Runyan, Jessen.

No: None.

Motion CARRIED

CONSIDER ADJUSTING PARK HOURS TO DAYLIGHT TO DUSK: Councilperson Mehigh stated the park has had a tremendous amount of vandalism, and council has to come up with some ideas. He further stated he hates to punish everybody for a few vandals. Councilperson Johnson asked if most parks are open from dawn to dusk. Councilperson Mehigh stated yes, but there are park events and there might be some citizens who might want to walk in the park. He asked how the city would be able to take care of the people who have a legitimate right to be in the park. Councilperson Runyan stated he did not see how changing the park hours would stop the vandals. He suggested referring the situation to the police chief and his staff to see if they can come up with something that is reasonable. Councilperson Sanderson suggested hiring a part-time park constable and make it known that anyone arrested will be punished to the full extent of the law. Mr. Sawyer advised security is very expensive and repairing the vandalism is cheaper. Councilperson Mehigh stated cameras are a big deterrent. He suggested having the police chief bring in a person specifically to patrol the park at various times. Mr. Sawyer advised cameras are very expensive. He has met with several companies but has not received any quotations back. Councilperson Sanderson stated the council needs to do something other than just talk. Councilperson Runyan asked if other communities have been researched. Mr. Sawyer advised no. He stated catching vandalism in progress is a matter of timing and is very difficult. The only way to catch someone in the act is to have someone on law enforcement duty in the dark on foot or have a good citizen who will be violating the ordinance by being in the park. He further stated the city has been lenient by not issuing citations to people who are in the park after hours. Councilperson Runyan suggested appointing an ad hoc committee to come up with some suggestions. Councilperson Mehigh stated he felt Mr. Sawyer and Ms. Washburn could come up with some ideas. Councilperson Runyan stated the police department is supposed to lock up the park bathrooms at night, and there might be times when the officer is on a call and cannot lock the bathrooms up until 1:00 a.m. or 2:00 a.m. Mayor Corey asked Mr. Sawyer, Ms. Washburn and the chief to bring suggestions to the next meeting.

CONSIDER APPOINTMENT OF MERILEE LAWSON AS EX-OFFICIO TO THE PLANNING COMMISSION AND ZONING BOARD OF APPEALS: Mehigh moved, Sanderson seconded to appoint Merilee Lawson as Ex-Officio to the Corunna Planning Commission and the Corunna Zoning Board of Appeals for a term to begin upon the taking of the oath of office and running concurrent with her position as City Planner to serve at the pleasure of the council.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER ELIMINATION OF "COLLECTOR STREET" FROM ORDINANCE: Mehigh moved, Jessen seconded to set a public hearing for September 16th at 7:35 p.m. for the proposed elimination of "collector streets" from the Corunna Code. Mayor Corey asked if a member of the planning commission would be present at the meeting. Mr. Sawyer advised he would request someone from the commission to be present.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

CONSIDER LETTER OF ENGAGEMENT WITH F.P.S.: Jessen moved, Johnson seconded to approve the letter of engagement with Finkbeiner, Pettis & Strout as presented.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER PURCHASE OF 4X4 PICKUP AND PLOW FOR MOTOR POOL: Councilperson

Runyan asked how the Chevrolet Silverado compared to the truck from Signature Ford and if all of the components were the same. Tim Crawford advised the rebate for the Ford truck was already subtracted from the price, and the rebate for the Chevrolet and GMC is unknown at this time. Councilperson Wagner advised a diesel engine is generally a lot easier to maintain and might last a lot longer. He further advised he knows from experience that a V-10 engine is not that great of an engine and does not hold up very well in the long term. He also advised the last time he checked there was only a \$1,000 difference to upgrade to a diesel engine. Mr. Crawford advised he was trying to get away from a diesel engine because it costs more to repair them. Councilperson Wagner advised a diesel engine is more expensive to work on but the engine lasts a lot longer. Councilperson Mehigh asked Mr. Crawford if he had a truck preference. Mr. Crawford advised no. Councilperson Mehigh stated the cheapest deal might not always be the best buy. Councilperson Sanderson asked if the truck would be used for secondary snow plowing. Mr. Crawford advised yes. The truck would be used to clean the parking lots of city hall and the library. Mayor Corey asked if the city was replacing a truck or adding to the fleet. Mr. Crawford advised he was replacing the Chevrolet ¾ ton pickup. Councilperson Mehigh asked Mr. Crawford if the truck was something that he had to have right away and if a decision could be put off for a couple of weeks while he does a little more checking. Mr. Crawford advised he could wait two more weeks.

CONSIDER APPROVAL OF SPECIAL EVENTS APPLICATION FOR ANTIQUE TRUCK SHOW FROM THE HISTORICAL COMMISSION: Mehigh moved, Jessen seconded to approve the

Special Events Application with the Historical Commission for the Antique Truck Show on September 8th, 2002. Councilperson Sanderson asked if people would be allowed to park on the grass. Judy Horton advised the historical commission would try their best to keep the truck show visitors off the grass. Mr. Sawyer advised parking issues are always difficult. It is quite common during special events in the park that there is parking on the grass, which solicits complaints from people who have gotten a ticket for parking on the grass when there were 5,000 parking spots available. He further advised it is fair for council to say to those people who like to complain because they got a \$10.00 ticket when there was ample parking available that special events are different. Council should not feel obligated to justify allowing people to

park on the grass for special events. He also advised no parking on the grass should be lifted for special events. Councilperson Runyan asked if the area by the cabin in the historical village would be open for parking. Ms. Horton advised the village workers would be parking in that area.

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehigh, Runyan, Jessen.

No: None.

Motion CARRIED

CONSIDER TRAFFIC CONTROL ORDER #205 (NO STOPPING, STANDING, OR PARKING AT ANY TIME ON THE NORTH SIDE OF KING STREET BETWEEN THE EAST DRIVE OF CORUNNA HIGH SCHOOL AND KINGSLEY STREET): Johnson moved, Jessen seconded to approve Traffic Control Order #205 (No stopping, standing or parking at any time on the north side of King Street between the east drive of Corunna High School and Kingsley Street).

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

CONSIDER ADOPTION OF THE STATEMENTS OF COOPERATION FOR TEAM 21: Mehigh moved, Runyan seconded to accept the Statements of Cooperation for Team 21 with the addition of paragraph 11. Mayor Corey proceeded to read paragraph 11.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

ROUNDTABLE DISCUSSION: Councilperson Johnson advised she needed to resign from the Airport Board. She offered the Airport Board to Councilperson Jessen, who turned it down. Councilperson Wagner advised he would accept the Airport Board. Mr. Sawyer suggested amending the agenda. Mehigh moved, Jessen seconded to amend the agenda by adding Item No. 14) Accept Resignation of Dawn Johnson from the Airport Board and Item No. 15) Consider Appointment of Dan Wagner to the Airport Board.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

ACCEPT RESIGNATION OF DAWN JOHNSON FROM THE AIRPORT BOARD: Johnson moved, Sanderson seconded to accept with regret the resignation of Dawn Johnson from the Airport Board effective immediately.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF DAN WAGNER TO THE AIRPORT BOARD: Mehigh moved, Johnson seconded to appoint Dan Wagner to fill the open position on the Airport Board as the council representative.

Roll call vote:

Yes: Mehigh, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

ROUNDTABLE DISCUSSION: Councilperson Johnson advised the fire department did an excellent job raising money for the Muscular Dystrophy Association. The fire department raised \$6,725. Mayor Corey suggested doing a proclamation for the fire department at the next meeting.

Councilperson Runyan asked council to try to make the Dam Review Committee meeting on Thursday. He advised the Small Town Success Strategies bus trip was very informative. The cities of Elk Rapids, Cadillac, Gaylord and Frankenmuth were toured.

Councilperson Mehig elaborated on what Councilperson Runyan stated. One of the things he picked up on during the trip was the cities had very bright and dedicated city managers. Councilperson Mehig stated he feels Corunna has potential. He asked Mr. Sawyer to elaborate on the letter from Dick Burlingame. Mr. Sawyer advised he was still investigating and would report back to council. He further advised the only reason he brought the letter to council's attention was because the letter came from District Court.

Councilperson Sanderson stated the bus trip was very impressive, but the City of Corunna is 25 years behind. The cities that were visited were on top of everything. He further stated he would like to move to Elk Rapids. Property that sold for \$9,000 10 years ago is worth \$150,000 today. Mr. Sawyer advised he and Ms. Lawson went on every trip and the one thing everyone has in common is it is possible to be successful and remain small. It is important for people to know that the city does not have to become huge in population. He further advised the city's taxable value is one third of what it should be, and unfortunately, this stops things from getting done, which is hurting this community. He also advised every city but two had industrial parks. It is nice to see that council is very sensitive to industrial growth and developments so there are better jobs in the community. Mayor Corey asked if there were any more of these tours planned. Mr. Sawyer advised no.

ADJOURN: Jessen moved, Johnson seconded to adjourn.

Roll call vote:

Yes: Mehig, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED Time was 8:53 p.m.

STEVE COREY, MAYOR

YVONNE F. LONG, CITY CLERK